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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/706,221

11/12/2003

Heiko Taxis

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EXAMINER

STEPHEN, EMEM O

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

04/02/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/706,221	Applicant(s) TAXIS, HEIKO	
	Examiner EMEM STEPHEN	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/6/2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. Claims 1, 3-5, 8, and 10-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gortz et al. in view of U. S. Pub. No. 20030220988 A1 to Hymel.

Regarding claims 1, 12-14, and 19, Gortz et al. discloses driver information system (col. 1 lines 13-25) comprising an operating device having at least two operational control units (fig. 1 12-13; fig. 2, 12.1-13.2) and a holding unit with a number of operational control slots each adapted to receive one of the operational control units (see figure 2, col. 1 lines 20-26, and col. 4

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lines 3-4), and a control device for validating control signals delivered by the operational control units (col. 4 lines 37-42).

However, Gortz et al. fails to disclose wherein said operational control units are interchangeably arranged in the slots of holding device, each of said operational control units comprises a transmitting unit, and said control device is associated with a receiving unit in order to receive the control signals provided by the transmitting unit, transmitting unit for transmitting a control signal that contains identification information identifying the particular operational control unit.

In a similar endeavor, Hymel discloses an operating device (electronic device 110) having at least two operational control units (see figs.1-2, and par. 13, accessory devices 120) and a holding unit with a number of operational control slots (see fig. 3, 320-340) each adapted to receive one of the operational control units (par. 15, i.e. port 320 , transceiver 330-340), and a control device (310) for validating control signals delivered by the operational control units (pars. 16-18), wherein said operational control units are interchangeably arranged in the slots of holding device (electronic device detect connectivity of any of the accessory device, therefore any of the accessory device can be placed at any of the transceiver unit or port, hence interchangeability), each of said operational control units comprises a transmitting unit, and said control device is associated with a receiving unit in order to receive the control signals provided by the transmitting unit (pars. 16-17), transmitting unit for transmitting a control signal that contains identification information identifying the particular operational control unit (par. 17, receiving device information; type identifier).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Gortz et al. such that the transmitting unit for transmitting a control signal contains identification information identifying the particular operational control unit, and a for receiving the control signal for the purpose of having an improved variation of driver information system for convenience (col. 1 lines 31-34).

Regarding claim 3, the combination of Gortz et al. and Hymel discloses the driver information system of claim 1, wherein the transmitting unit transmits said control signals optically to the receiving unit (Hymel par. 15 lines 10-11).

Regarding claims 4, 5, and 8, the combination of Gortz et al. and Hymel discloses the driver information system of claim 2, wherein said operational control are supported movably relative to each other by the holding unit (Hymel, pars. 16-18), and wherein the receiving unit transmits said control signals via radio frequency to the receiving unit; wherein said transmitting, unit and said receiving unit are adapted for transmitting using the Bluetooth protocol; wherein said operational control are supported movably relative to each other by the holding unit (Hymel, pars. 12-13, and 15).

Regarding claim 10, the combination of Gortz et al., and Hymel discloses the driver information system of claim 1; wherein said operation control unit is one of an operating element, volume control element, a hard-key element etc (Gortz et al., col. 1 lines 20-26).

Regarding claims 15-18, and 20-22, the combination of Gortz et al., and Hymel discloses control signals include identification information identifying each of the operational control units to enable the control device to assign the control signals to the respective transmitting operational control unit (Hymel par. 17).

5. Claims 6, 7, 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gortz et al. in view of Hymel, and further in view of U. S. Patent No. 5,892,192 to Ishiguro et al.

Regarding claims 6-7, 9, and 11, the combination of Gortz et al., and Hymel discloses the driver information system according to claim 1, wherein the holding unit comprises preset number of operational control slots, wherein each operational unit comprises at least one frame connector which is insert-able in an edge-socket-connector provided in each said operational control slot, the control signals being transmitted by wire via said connector-socket connection, wherein each operational control unit comprises a mounting member provided at a operational control unit slot and engaging said mounting member detachably (Gortz, see figs. 2, 4, col. 4 lines 1-16, tactile/haptic interface 21, driver interface 22,23).

However, the combination fails to disclose, and wherein operational control units comprise identical cover plates.

Ishiguro et al. discloses wherein operational control units comprise identical cover plate (see fig. 4, cover plates 140 are identical).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination, and have the holding unit comprises each operational

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control unit comprising a mounting member provided at a operational control unit slot and engaging said mounting member detachably as disclosed by Ishiguro et al. based on cosmetic preference of user.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMEM STEPHEN whose telephone number is 571 272 8129. The examiner can normally be reached on 8-5 Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571 272 7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/E. S./

Examiner, Art Unit 2617

03/29/2010

/Charles N. Appiah/

Supervisory Patent Examiner, Art Unit 2617